

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ U.S. Application No. _____, Int'l Application No. PCT/AU2004/000336, Int'l filing date 18 March 2004,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Stuart M. PITSON

Citizen of: Australia

Signature:

Date:

27/10/05

Inventor two: Steffen-Sebastian BOLZ

Citizen of: Germany

Signature:

Date:

10.11.2005

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Approved for use through 11/30/2005 OMB 0551-0035

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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ELECTION AND POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	
	Filing Date	19 September 2005
	First Named Inventor	Stuart PITSON
	Title	A method of modulating smooth muscle cell functioning by modulating sphingosine kinase mediated signalling
	Art Unit	
	Examiner Name	
	Attorney Docket Number	650063.404USPC

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC, Customer Number: 00500

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ As assignee of record of the entire interest I/we hereby elect, under 37 CFR 3.71, to prosecute the application to the exclusion of the inventor(s).

SIGNATURE of Applicant or Assignee of Record (if assignee, put name, title and company name in "Name" space below)

Name	MEDVET SCIENCE PTY LTD
Signature	DR JAMES GUYETT DR FRANCES JOAN GUYETT
Date	24.01.06

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 form is submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Stuart M. PITSON et al

Application No./Patent No.: _____ Filed/Issue Date: 19 September 2005

Entitled: A method of modulating smooth muscle cell functioning by modulating sphingosine kinase mediated signalling

MEDVET SCIENCE PTY. LTD.

a

company

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership,
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title noted in B above are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

MEDVET SCIENCE PTY. LTD.

24.01.06

Date

DR FRANCES JOAN GUYETT

Typed or printed name

(206) 622-4900

Telephone Number

Dr. Frances Joan Guyett

Signature

CEO

Title

US
PATENTAttorney's docket no. 650063.404USPC
ASSIGNMENT

WHEREAS, I/WE

Stuart M. PITSON, an Australian citizen of 1B Threfall Avenue, Norwood, South Australia 5067, Australia;
Steffen-Sebastian BOLZ, a German citizen of Institut der Ludwig Maximilians, Universitaet. Schillerstrasse 44, 80336 Munich, Germany

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in
A method of modulating smooth muscle cell functioning by modulating sphingosine kinase mediated signalling

the specification of which:

- (a) ☐ was executed on even date herewith;
(b) ☐ was filed on _____ as ☐ Application No. _____ or
☐ Express Mail No., as Application No. not yet known _____ and was amended on
_____ (if applicable); or
(c) ☒ was described and claimed in PCT International Application PCT/AU2004/000336
filed on 18 March 2004 and as amended under PCT Article 19 on _____ (if any) and/or under
PCT Article 34 on _____ (if any).

AND WHEREAS,

Medvet Science Pty. Ltd., of 38 Payneham Road, Stepney, South Australia 5069, Australia


(hereinafter referred to as Assignee) desires to acquire the entire rights, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

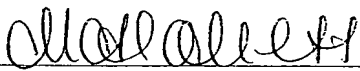
NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.


IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

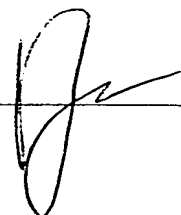
This 27TH day of October, 2005


Signature of Stuart M. PITSON


Witness

This 10TH day of November, 2005


Signature of Steffen-Sebastian BOLZ


Witness